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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/558,469	04/24/2000	Jacob Oshins	2420	8636

7590 06/16/2004

LAW OFFICES OF ALBERT S. MICHALIK, PLLC  
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SUITE 193  
SAMMAMISH, WA 98074

EXAMINER

PHAN, RAYMOND NGAN

ART UNIT	PAPER NUMBER
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2111

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

224

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/558,469	OSHINS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Raymond Phan	2111	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 March 2003.  
 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-48 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) ☒ Claim(s) 33-48 is/are allowed.  
 6) ☒ Claim(s) 1-23 and 32 is/are rejected.  
 7) ☒ Claim(s) 24-31 is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **Part III DETAILED ACTION**

#### ***Notice to Applicant(s)***

1. This action is responsive to the following communications: amendment filed on March 10, 2003
2. This application has been examined. Claims 1-48 are pending.

#### ***Specification***

3. The title of the invention is accepted.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-23, 32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nijhawan (US NO. 6,185,677) in view of Sescila, III et al. (US No. 5,937,175).

In regard to claims 1, 15, 32, Nijhawan discloses the method for performing resource translation comprising obtaining the description of the device (see col. 7, line 45 through col. 8, line 21); determining the description of the device and providing the translation for the resource and configuring the resource based on the translator (see col. 7, line 45 through col. 8, line 21). But Nijhawan does not specifically disclose the whether the cycles output by the resource requiring

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translation from one bus to another bus and if so, providing a translator for the resource. However Sescila, III et al. disclose the PCI bus to IEEE1394 bus translator to interpret the PCI bus cycles initiating by the PCI bus into the IEEE 1394 cycles (see col. 10, lines 1-19). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the translator of Sescila III et al. within the system of Nijhawan so as to leverage the large installation base of PCI devices and without modification.

In regard to claims 2, 21, Nijhawan discloses wherein the description of the device including reading hardware information (see col. 6, line 38 through col. 7, line 33).

In regard to claims 3, 22, Nijhawan discloses wherein the obtaining a description of the device including constructing a namespace (see col. 7, line 45 through col. 8, line 40).

In regard to claim 4, Nijhawan discloses wherein determining from the description including analyzing the namespace (see col. 7, line 45 through col. 8, line 50).

In regard to claim 5, Nijhawan discloses the device is described in accordance with ACPI (see col. 6, line 25 through col. 7, line 33) and wherein determining from the description including evaluating information in the current resources object (see col. 7, line 45 through col. 8, line 21).

In regard to claim 6, Nijhawan discloses wherein determining from the description including looking for the address translation information in the description (see col. 7, line 45 through col. 8, line 21).

In regard to claim 7, Nijhawan discloses wherein providing a translator for the resource including returning a table of functions (see col. 7, line 45 through col. 8, line 21).

In regard to claims 8, 23, Nijhawan discloses wherein a translator for the resource including performing a translation (see col. 7, line 45 through col. 8, line 21).

In regard to claim 9, Nijhawan discloses wherein a translator for resource including return type of information (see col. 7, line 45 through col. 8, line 21).

In regard to claim 10, Nijhawan discloses wherein the type information corresponds to I/O (see col. 7, line 45 through col. 8, line 21).

In regard to claim 11, Nijhawan discloses wherein the type information corresponds to memory (see col. 7, line 45 through col. 8, line 21).

In regard to claim 12, Nijhawan further discloses locating the resource (see col. 7, line 45 through col. 8, line 21).

In regard to claim 13, Sescila, III et al. disclose wherein configuring the resource based on the translator included telling the resource what cycles to issue to cause an appropriate I/O cycle on the other bus (see col. 16, lines 26-54).

In regard to claim 14, Sescila, III et al. disclose enabling the resource (see col. 16, lines 48-54).

In regard to claim 16, Nijhawan discloses the bridge connecting the CPU and PCI bridge (see col. 7, line 45 through col. 8, line 21).

In regard to claim 17, Nijhawan discloses the bus bridge comprising a PCI to ISA bridge (see col. 7, line 45 through col. 8, line 21).

In regard to claim 18, Nijhawan disclose the ACPI driver (see col. 7, line 45 through col. 8, line 21).

In regard to claim 19, Nijhawan discloses the operating system (see col. 7, line 45 through col. 8, line 21).

In regard to claim 20, Nijhawan discloses the PNP devices (see col. 7, line 45 through col. 8, line 21).

***Allowable Subject Matter***

6. Claims 33-48 are allowable over the prior art of records.

7. The following is an Examiner's statement of reasons for the indication of allowable subject matter: Claims 33 and 40 are allowable over the prior art of record because the Examiner found neither prior art cited in its entirety, nor based on the prior art, found any motivation to combine any of the said prior arts which teach a system for configuring a resource to communicate with a device comprising the first component providing a translator to change the memory address (claim 33); providing a translator to change the cycle type (claim 40).

The remaining claims, not specifically mentioned, are allowed for the same rationale as their parents claims.

8. Claims 24-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Amendment***

9. Applicant's arguments, see pages 8-14, filed on March 10, 2003, with respect to the rejection(s) of claim(s) 1-23 under 35US103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

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However, upon further consideration, a new ground(s) of rejection is made in view of Nijhawan.

***Conclusion***

10. Claims 1-23, 32 are rejected. Claims 24-31 are objected. Claims 33-48 are allowed.

11. The prior arts made of record and not relied upon are considered pertinent to applicant's disclosure.

**Warwick (US No. 6,598,169)** discloses a system and method for accessing information made available by the kernel mode driver.

**Lewis (US No. 5,999,730)** discloses a generation of firmware code using a graphic representation.

**Lewis (US No. 6,167,511)** discloses a method to reflect BIOS set up changes into ACPI machine language.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Raymond Phan, whose telephone number is (703) 306-2756. The examiner can normally be reached on Monday-Friday from 6:30AM- 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Wong can be reached on (703) 305-3477 or via e-mail addressed to peter.wong@uspto.gov. The fax phone number for this Group is (703) 746-7239.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [raymond.phan@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

**Raymond Phan**  
6/9/04



**PAUL R. MYERS**  
**PRIMARY EXAMINER**